

Serial No. 10/037,852
63428-063REMARKS

Claims 1-30 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the invention. Claims 1-4, 7-9, 22-26 and 28 have been cancelled. The Board stated that reference numeral 34 in Figure 2 and reference numeral 134 in Figures 3-5, which one of ordinary skill in the art would understand to denote the "edge," appears to point to the end face of the clamps 22 and 122. The specification has been amended to include a reference to the face, and the claims have been amended to change "edge" to "face." Support for this amendment is found in Figures 2 and 5.

The Board also stated that the term "inclined" without recitation of a reference relative to which the edges are inclined renders the claims indefinite. Claim 13 has been amended to recite that the faces are inclined relative to a bottom surface of the assembly. Claim 20 has been amended to recite that an angle is formed by the inclined faces and a plane defined by a bottom surface of the clamp. Support for this amendment is found in Figure 2.

Claims 1-30 stand rejected under 35 USC §103(a) as being obvious over Herbermann in view of Chen. Herbermann discloses a support system 20 includes a plurality of ball jointed links 26 each including a female socket 30 at one end and a male ball 32 at an opposing end. Chen discloses a unit 30 including two socket halves 31 and 31' positioned around a ball 41 to enclose the ball 41 in a socket. The Examiner contends it would be obvious to modify the support system 20 of Herbermann to include two socket halves as suggested by Chen. Applicant respectfully disagrees.

The claimed invention is not obvious. There is no reason to form the ball jointed links 26 of Herbermann in two halves as the Examiner contends. The links 26 of Herbermann include a socket 30 at one end and a ball 32 at the other end (column 2, lines 25 to 27). A ball 32 of another link 26 is secured to the socket 30 by a clamp 28, and a socket 30 of another link receives the ball 32 of the link 26. The clamp 28 secures adjoining links 26 together. There is no reason or benefit to form the links 26 of two halves to enclose the ball 32 in the links 26 because the clamp 28 provides this function. Even if the links 26 were formed in two halves 26 as the Examiner contends, the clamp 28 would still be needed because of the size of the links 26. As shown in Figure 2, the socket 30 does not cover enough of a surface area of the ball 32 to retain the ball 32 in the link 26. If the clamp 26 was formed in two halves and a ball 32 was received in

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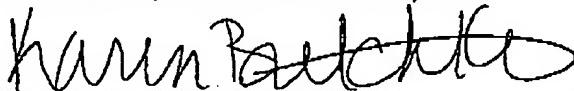
the socket 30 between the halves, the socket 30 would not be able to retain the ball 32. The clamp 28 would still be needed to secure the ball 32 in the socket 30. There is no reason to form the links 26 in two halves because this would provide no function or benefit in Herbermann.

Additionally, Herbermann discloses that each link 26 only includes one socket (column 2, lines 25 to 27). Even if the links 26 were formed of two halves, the links 26 would not include two sockets as claimed. Applicant's claims require that the assembly includes a pair of sockets. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 5, 6, 10-21, 27 and 29-33 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.



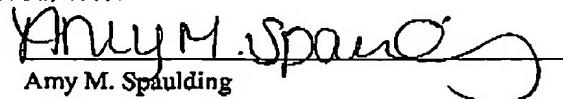
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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, 571-273-8300 on October 31, 2005.


Amy M. Spaulding